

**MARINA C. TSATALIS  
GARY M. GANSLE  
KORAY J. BULUT  
WILSON SONSINI GOODRICH & ROSATI**  
Professional Corporation  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 565-5100  
Email: MTsatalis@wsgr.com

ADRIAN T. DELMONT (AD-7010)  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
12 East 49<sup>th</sup> Street  
New York, NY 10017  
Tel. (212) 999-5800  
ADelmont@wsgr.com

Attorneys for Defendants  
GOOGLE INC. and TIMOTHY ARMSTRONG

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHRISTINA ELWELL,  
Plaintiff,  
v.  
GOOGLE, INC. and  
TIMOTHY ARMSTRONG,  
Defendants.

ECF CASE  
Case No: 05-CV-06487 (DLC)

DEFENDANTS' AMENDED NOTICE  
OF MOTION AND MOTION TO  
COMPEL ARBITRATION AND FOR  
DISMISSAL OF ACTION, OR, IN THE  
ALTERNATIVE, FOR A STAY OF  
PROCEEDINGS PENDING  
ARBITRATION

Defendants hereby move to compel Plaintiff to arbitrate her claims pursuant to 9 U.S.C. section 4 on the ground that this Court is an improper forum for Plaintiff's claims against Defendants. Plaintiff agreed by written contract to binding arbitration of her claims and therefore this action should be dismissed pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure . Plaintiff's claims should be heard by an arbitrator in accordance with the parties' contract. In the alternative, this action should be stayed pending completion of the arbitration of Plaintiff's claims. Defendants'

